

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.) Case No. 4:05CR379 HEA
)
 DEMETRIALO L. BARLOW,)
)
 Defendant.)

This matter is before the Court on defendant's Motion to Suppress Evidence and Statements, [Doc. No. 15]. The Court referred this matter to United States Magistrate Judge David D. Noce for a Report and Recommendation pursuant to 28 U.S.C. § 636(b). An evidentiary hearing was set for May 10, 2006. Defendant appeared in open court, with counsel, and advised Judge Noce that he had decided not to raise any issues by way of pretrial motions.

Accordingly,

IT IS HEREBY ORDERED that defendant's Motion to Suppress Evidence and Statements, [Doc. No. 15] is denied as moot.

Dated this 30th day of May, 2006.

A handwritten signature in cursive script, reading "Henry Edward Autrey", written in black ink.

HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE